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**PARTNERSHIP AGREEMENT
BETWEEN
MONTANA CORRECTIONAL ENTERPRISES
AND
MONTANA STATE PRISON**

PURPOSE

This partnership agreement between the Montana Correctional Enterprises (MCE) and the Montana State Prison (MSP) Management Teams sets the formal working mechanisms to be used in interaction between these two Department of Corrections (DOC) Divisions located at the Deer Lodge facility. The MCE Management Team is comprised of Division Administrator, Ranch Director, Industries Director, Vocational Training Director, Fiscal Manager and Dairy Director. The MSP Management Team is comprised of Warden, three Deputy Wardens and Security Major.

The MCE programs are to provide work opportunities for the maximum number of inmates at the MSP facility. Work programs will be operated in a security conscious manner, providing a daily support function for institutional security. MCE employment and education programs will be run with an emphasis on inmate accountability, key/tool control, awareness of security breaches, alertness to inmate activities, and in compliance with State and Federal law, department, division, MSP policies and sound correctional practices.

The MSP Management Team acknowledges the value of the MCE program as an important component in the overall operation of the correctional facility. As a support function to security, well-balanced programming for inmates enhances and does not detract from security. The goal of interaction between the security and work programs is enforcing reasonable and necessary security measures.

This agreement will address the following:

SECTION I:	ESCAPES/WALKAWAYS AND INSTITUTIONAL EMERGENCIES
SECTION II:	SECURITY
SECTION III:	POLICY
SECTION IV:	LAND MANAGEMENT
SECTION V:	DECISIONS, AGREEMENTS, AND PROCEDURES
SECTION VI:	COMMUNICATIONS
SECTION VII:	CONFLICT RESOLUTION
SECTION VIII:	INMATE CLASSIFICATION
SECTION IX:	MAINTENANCE PRIORITIES AND PROCESS
SECTION X:	EVALUATION AND AUDIT
SECTION XI:	MODIFICATIONS, TERMINATION, AND ANNUAL REVIEW
SECTION XII:	FAILURE TO ABIDE BY THE PARTNERSHIP AGREEMENT
SECTION XIII:	EFFECTIVE DATE

SECTION I: ESCAPES/WALKAWAYS AND INSTITUTIONAL EMERGENCIES

It is understood by all parties that during an escape or institutional emergency the MSP Management Team will determine the course of action to be taken and will make the needed staff assignments.

It is MCE's responsibility in these situations to respond as quickly and efficiently as possible to carry out MSP policy. Procedures for escape/walkaways and institutional emergencies are defined in DOC 3.2.1 policy and in the MSP Facility Emergency Manual.

SECTION II: SECURITY

Security is the responsibility of all staff. Our first concern should be for the safety of the public, staff and inmates. The Security Program at MSP recognizes the value in the availability of work, skill development and education to the inmate population. Security also recognizes that each of these present risks that must be minimized and managed.

A general list of guidelines for ensuring a secure program for proposal or operation is listed below. The following are intended to assist with the procedure and should not be considered as a complete list covering all situations or requests.

- A. Programs must ensure security policy and procedure are met prior to commitment to productivity/profitability.
- B. Program must benefit MSP and MCE in regard to the maintenance of institutional security, providing educational and/or job skill development, productivity and profitability. When institutional security and other operational considerations are in conflict, security will take priority. The security concerns will be clearly identified in writing and given to MCE. Reasonable discussions for resolution in a spirit of cooperation of the problem areas between MSP and MCE Management Teams will follow.
- C. MCE must operate and maintain a tool and key control system in compliance with MSP policy.
- D. MCE must ensure that location of work site, custody level or inmate workers and supervision requirements are all in accordance with existing policy.
- E. Staff/Inmate accountability is essential for the successful operation of all programs. All programs should be developed and operated based on DOC, MSP and MCE mission statements.
- F. MCE and MSP Staff will each continually evaluate operations for safety and identification of problem areas.
- G. All new proposals will be submitted in a standard format agreed to by the parties.

- H. Ideas or concepts for new programs will be discussed with the appropriate Deputy Warden as soon as information is available.
- I. New proposals will be sent to the administration (Deputy Warden in charge of the Command Post or Security Major) for review. Administration will review all contents using correctional expertise to evaluate for institutional acceptability in a reasonable and timely manner. The recommendation will be sent to the Warden for approval/disapproval. The Warden will respond within 30 days of receipt of the proposal.
- J. No contract will be approved or programs initiated pending completion of the MSP review process.
- K. Proposals for new or changed programs in MCE will be dealt with in a consistent and timely manner. The Warden will have the immediate approval/disapproval authority, with the Director having the ultimate authority.

If all policy and procedures are maintained and followed, the program proposed or existing should continue. If policy and procedures are not followed or existing programs do not maintain compliance with policy and procedure, the program should not continue. The Director or designee will provide decisions on policy and procedures to the MCE Division Administrator in writing.

SECTION III: POLICY

Policies that apply to both MCE and MSP must have an approval and signature block for both the MSP Warden and the MCE Division Administrator. The current policy committee, DOC and MSP policy personnel, and process will be utilized. Policy applying specifically to MCE or MSP will be so designated and have only the appropriate approval and signature blocks. Copies of policies applying to only one of the divisions will be furnished to the other division on a "For Your Information" (FYI) basis. Any differences on those policies applying to both divisions must be negotiated before being brought to the attention of the Department Director. In those instances of unresolved differences, the Department Director will make the final determination.

SECTION IV: LAND MANAGEMENT

The Director has appointed the MCE Division Administrator to assume responsibility for the oversight of land use and management of all DOC lands, exclusive of the land occupied by the Prison and its immediate perimeter and the Treasure State Correctional Training Center and its immediate perimeter. Land use will be reviewed by the MCE Division Administrator considering the impact on natural resources, consistency with prior land use, and the overall best interests of MCE and DOC. Any requests involving land use should be directed to the MCE Division Administrator.

SECTION V: DECISIONS, AGREEMENTS, AND PROCEDURES

Agreements on procedures between MCE and MSP that are not policy must include the written approval and signatures of both MCE and MSP. These agreements are subject to review at the Partnership meeting and subject to annual review.

SECTION VI: COMMUNICATIONS

Communications between MCE and MSP must be open, two way interactive and proactive. Meetings will be used routinely to communicate, negotiate and resolve pertinent issues.

Meetings:

Weekly Meetings will address issues needing immediate attention, coordination, action and resolution. Information from the meeting must be distributed to MCE and MSP staff by their respective leaders.

Annual MCE/MSP Partnership meetings will address:

- A. Property/Land Issues
- B. Security Issues
- C. Transfer Process
- D. Policy Issues
- E. Partnership Evaluation and Audits
- F. Construction Progress
- G. Annual Review of this Partnership Agreement

Minutes of the **annual** meeting must be distributed to MCE and MSP by their respective leaders.

SECTION VII: CONFLICT RESOLUTION

Conflict is natural and inevitable because people have varying perspectives and experience. Conflict resolution is healthy, it increases understanding, the number of alternatives, and interaction and involvement. Unresolved conflict is unhealthy and can ultimately destroy a working relationship. Unresolved conflict can lead to stalemates and may cause interpersonal hostilities.

Conflict between MCE and MSP should be addressed immediately between those with conflict. The following guidelines should be used to resolve the conflict:

- A. LISTEN: Hear and understand what is being said.
- B. DISAGREE AGREEABLY: Do not make the other reason wrong.
- C. Acknowledge that each person has something of value to contribute.
- D. SPIRIT OF INTENT: Recognize positive motivations.
- E. Talk to people **RESPECTFULLY**. Focus on *what*, not *who*.

Resolution of any problem areas should be done in a timely and professional manner at the lowest possible management level. The Warden and MCE Division Administrator will resolve issues between the two divisions that cannot be resolved at a lower level. This should be minimal if all parties are performing their job assignments and are actively trying to resolve problems. Ultimately, as a last resort, the Director may be asked to resolve the conflict when those involved cannot reach agreement.

SECTION VIII: INMATE CLASSIFICATION

Classification of inmates is the responsibility of the MSP/DOC staff. Work evaluation of inmates by MCE must be factored into the classification. Reclassification of inmates working for one of the programs within MCE must be communicated that day to the appropriate work supervisor of MCE by the Unit Manager and/or Hearings Officer. A representative of MCE will be invited to the Administrative Review Committee meeting when inmates for MCE are being reviewed.

SECTION IX: MAINTENANCE PRIORITIES AND PROCESS

MSP Maintenance is responsible for the overall maintenance of the Deer Lodge facility. This includes the following areas: electrical, plumbing (water and sewer), natural gas and related equipment (boilers and furnaces), painting and general upkeep/repair of buildings, refrigeration, and construction/additions/modifications of the facilities.

MCE operations has maintenance needs of three kinds: routine, emergency and projects.

- A. For routine maintenance, when MSP Maintenance help is needed, a work order must be submitted with sufficient detail of the work needed and signed by the appropriate MCE Manager. A follow-up telephone call to the Maintenance Manager should be made to expedite the work.
- B. For emergency repairs, an MCE staff person will telephone or otherwise contact the MSP Maintenance department or the designated after-hours person to notify him of the emergency and arrange for assistance. Whether repair is needed prior to the next regularly scheduled maintenance shift, or whether it could be handled routinely, is the critical question. The work order and other paperwork should be completed as soon as the appropriate MCE Manager is available.
- C. For larger projects which require more planning and materials, a more thorough process should be used. MSP Maintenance will be consulted prior to any work being done, and must be provided with an explanation or diagram of the project(s) being proposed. The Maintenance and MCE Manager will meet to discuss alternative ways to approach the project(s) such as MCE funding temporary Maintenance personnel and to decide if, how and when it can be done. If the project is to proceed, a work order must be completed, a bill of materials developed, a list of necessary permits or licenses developed, and a schedule agreed upon. In some

cases, it may be decided that MCE can do the work with MSP Maintenance providing guidance.

The schedule should be completed as agreed upon, except for critical emergencies. Routine work might be delayed but the priority order of the schedule should not change. The MSP Maintenance Manager shall contact the appropriate MCE Manager with an explanation if the schedule cannot be met. Overtime work, at the expense of MCE, is an option to be discussed by the Maintenance and MCE Managers, as is the hiring of outside workers if that becomes necessary in order to complete the work in a timely manner.

On a semi-annual basis the MCE Division Administrator, MSP Maintenance supervisor and the appropriate Deputy Warden shall meet to discuss the status of projects and any other maintenance concerns. A record of these meeting will be maintained.

SECTION IX: *EVALUATION AND AUDIT*

An annual compliance review of this partnership agreement will be done at the direction of the Director. Results of this review must be made available to the MSP and MCE management teams. After the MCE and MSP management teams have had time to review and make comments, the report must be presented to the Director. The annual review must be recorded in the minutes of the appropriate partnership agreement meeting.

SECTION X: *MODIFICATIONS, TERMINATION, AND ANNUAL REVIEW*

This agreement cannot be modified without the written consent of the Director, MCE Division Administrator and the MSP Warden. This agreement cannot be terminated without the written consent of the Director.

SECTION XII: *FAILURE TO ABIDE BY THE PARTNERSHIP AGREEMENT*

Failure to meet the spirit and intent of the Partnership Agreement by any of the parties and or subordinates under their control may lead to disciplinary action up to and including termination in accordance with MOM 3-0130.

SECTION XIII: *EFFECTIVE DATE*

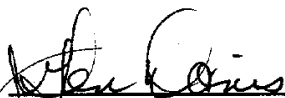
The effective date of this agreement will be the 1st day of September 1998. This agreement was revised on the 19th day of July 2000 and again on September 12, 2000.



Bill Dabney
Ranch Director
Montana Correctional Enterprises

9-12-00

Date:



Glen Davis
Industries Director
Montana Correctional Enterprises

9-12-00

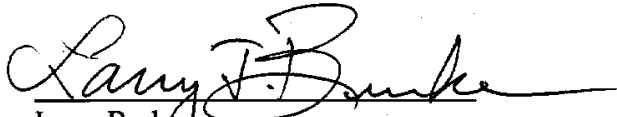
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Steve Hartman
Dairy Director
Montana Correctional Enterprises

Date:

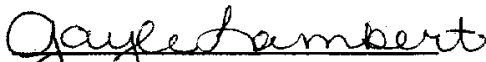
9/20/00



Larry Burke
Vocational Education Director
Montana Correctional Enterprises

9-13-00

Date:



Gayle Lambert
Fiscal Manager
Montana Correctional Enterprises

9-13-00

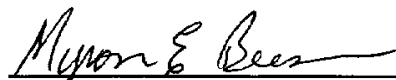
Date:



Tom Wood
Security Major
Montana State Prison

Date:

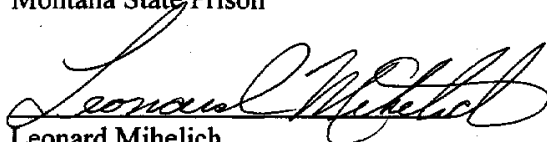
9/12/00



Myron Beeson
Deputy Warden
Montana State Prison

9-13-00

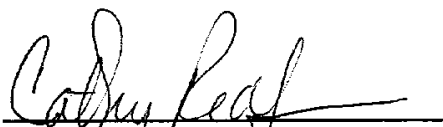
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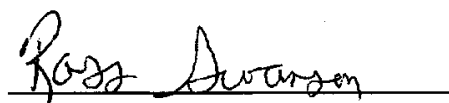
Leonard Mihelich
Deputy Warden
Montana State Prison

9/13/00

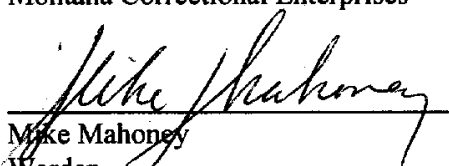
Date:


Cathy Redfern
Deputy Warden
Montana State Prison

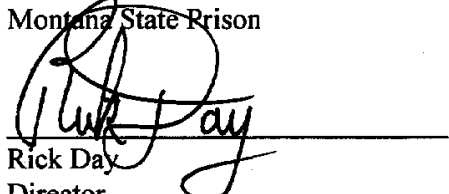
9-12-00
Date:


Ross Swanson
Administrator
Montana Correctional Enterprises

9/12/00
Date:


Mike Mahoney
Warden
Montana State Prison

9/13/00
Date:


Rick Day
Director
Montana Department of Corrections

09-14-00
Date:

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